

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

TOUCHTUNES MUSIC CORP.,

Plaintiff,

-against-

ROWE INTERNATIONAL CORP.,
ARACHNID, INC.,
AMI ENTERTAINMENT, INC. and
MERIT INDUSTRIES, INC. d/b/a MERIT
ENTERTAINMENT,

Defendants.

Civil Action No. 07-cv-11450-RWS

AND RELATED COUNTER CLAIMS

**DECLARATION OF JAMES E. HANFT IN SUPPORT OF ARACHNID'S
OPPOSITION TO TOUCHTUNES' MOTION FOR SUMMARY JUDGMENT OF
NON-INFRINGEMENT REGARDING THE '398 AND '834 PATENTS**

I, JAMES E. HANFT, hereby declare, pursuant to 28 U.S.C. §1746, under penalty of perjury, as follows:

1. I am an attorney admitted to practice in this Court and am Counsel at Schiff Hardin, LLP, attorneys for Defendant and Counterclaimant, Arachnid, Inc. ("Arachnid"). This Declaration is based upon my personal knowledge and is made in support of Arachnid's Opposition to TouchTunes' Motion for Summary Judgment of Non-Infringement Regarding the '398 and '834 Patents (Dkt. No. 231).
2. Attached hereto as Exhibit 1 is a true and correct copy of relevant excerpts (pages 184-86, 191-93, 196-98, 200-01, 203-08, 217-22, 290) from the *Expert Report of Bradley W. Dickinson Regarding the Validity of U.S. Patent Nos. 5,355,302, 5,781,889, 5,848,398, 6,381,575, 6,397,189, 6,980,834 and 6,598,230*, dated October 19, 2007, submitted in connection

with *Rowe Int'l Corp. v. Ecast, Inc.*, Civ. No. 06-2703 (N.D. Ill.), and filed in connection with the reexamination proceedings of U.S. Patent Nos. 5,848,398 ("the '398 patent") and 6,980,834 ("the '834 patent").

I declare under penalty of perjury that the foregoing statements made by me are true.

Dated: New York, New York
November 14, 2012



James E. Hanft

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